

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

Kathryn KNOWLTON, Dana McCORMICK et al,

Plaintiffs,

v.

Case No. 20 CV 01660

CITY OF WAUWATOSA, Dennis McBRIDE,
Barry WEBER, et al,

Defendants.

**CIVIL L.R. 7(H) EXPEDITED NON-DISPOSITIVE MOTION FOR AN EXTENSION OF
TIME TO RESPOND TO DEFENDANT's MOTION TO DISMISS**

Plaintiffs Knowlton et al (“Plaintiff”), by and through their undersigned counsels, pursuant to Pursuant to Fed. R. Civ. P. 6(b), hereby moves for a two-week extension to file a response no later than May 23, 2022 to Defendant’s Motion to Dismiss. (ECF 178) In support of this motion, Plaintiff states as follows:

CONFERRAL

Undersigned counsel has conferred with Counsel for Defendants, prior to the filing of this motion. Attorney Baynard indicated that they would object to an extension.

DISCUSSION

1. On February 15, 2022 Plaintiff’s filed their Fourth Amended Complaint. (ECF 155)
2. On April 18, 2022 Defendant filed their Motion to Dismiss in response to Plaintiffs Fourth Amended Complaint. (ECF 178)
3. Plaintiffs response to Defendant’s motion to dismiss is due on May 9, 2022.
4. On April 20, 2022 Defendant filed a Motion for Sanctions asking for attorneys costs

and fees for the ninth time in seven months. (ECF 179)

5. Plaintiffs responses to Defendant's motion for sanctions are due on May 11, 2022.
6. On January 21, 2022 Defendants provided Plaintiffs with 6,353 pages of discovery much of which was in response to Plaintiff's 1st request for production of documents served over a year ago to Defendants on January 6, 2021.
7. Given some of the overlapping issues in Defendant's motions, going through the untimely voluminous discovery given to Plaintiffs, and in light of other professional obligations, Plaintiffs requests an extension to May 23, 2022 to file a response to the Motion to Dismiss.
8. Undersigned counsel is in the process of going through the discovery, researching the issues, and Plaintiff needs an additional two weeks to ensure that all responses are thoroughly researched.
9. There have been no previous requests by Plaintiffs for extensions of time to respond to a motion.
10. Defendants have requested and have been granted two unopposed motions for extensions of time to respond to pleadings. (ECF 26, 173)
11. This motion is brought in good faith and will not prejudice either party.
12. Therefore, Plaintiff respectfully requests up to and including May 23, 2022, to submit their response to Defendant's Motion to Dismiss. (ECF 178)

WHEREFORE, Plaintiff respectfully requests that the Court enter an Order granting an extension of time for Plaintiffs to submit responses to Defendant's Motion to Dismiss up to and including May 23, 2022.

COUNSEL FOR PLAINTIFFS

By: /s:/ Kimberley Cy. Motley, Esq.
WI State Bar No. 1047193
Motley Legal Services
2206 Bonnie Butler Way
Charlotte, North Carolina 28270
Telephone: (704) 763-5413
Email : kmotley@motleylegal.com

E. Milo Schwab
Email :milo@ascendcounsel.co

Kathryn L. Knowlton
Email: kate@knowltonlawgroup.com